

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

08 MAY 12 AM 10:33  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

-----  
UNITED STATES OF AMERICA

Plaintiff

-VS-

RAYMOND LUMPKIN

Defendant  
-----

:  
:  
: CASE NO. 1:07CR136  
:  
:  
:

: ORDER ACCEPTING PLEA  
: AGREEMENT AND JUDGMENT AND  
: NOTICE OF HEARING  
:

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge William H. Baughman, Jr. regarding the plea hearing and plea agreement of Raymond Lumpkin which was referred to the Magistrate Judge with the consent of the parties.

On 7 March 2007, the government filed a three-count indictment against Raymond Lumpkin for conspiracy to possess with intent to distribute and to distribute cocaine base (crack), manufacture of cocaine base (crack), and possession with intent to distribute cocaine in violation of 21 U.S.C. § 841(a)(1), § 841(b)(1)(A), and 21 U.S.C. § 846. On 22 March 2007, a hearing was held in

which Raymond Lumpkin entered a plea of not guilty before Magistrate Judge Nancy A. Vecchiarelli.

On 17 April 2008, the government filed a one-count superseding information against Raymond Lumpkin for misprision of a felon in violation of 18 U.S.C. § 4. On 21 April 2008, Raymond Lumpkin appeared before Magistrate Baughman, executed a Waiver of Indictment and entered a plea of guilty to the superseding information. Magistrate Baughman received Raymond Lumpkin's plea of guilty and issued a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Raymond Lumpkin is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Raymond Lumpkin is adjudged guilty of Count 1s in violation of 18 U.S.C. § 4.

Sentencing will be:

**7 July 2008 at 9:30 a.m.**

**Courtroom 19-A  
19th Floor, United States District Court  
801 West Superior Avenue  
Cleveland, Ohio 44113**

IT IS SO ORDERED.

Dated:

12 May 08

Larry Kelly  
UNITED STATES DISTRICT JUDGE